

Message Text

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PAGE 01 TOKYO 01285 01 OF 03 280600Z
ACTION OES-06

INFO OCT-01 EUR-12 EA-09 IO-13 ISO-00 ABF-01 SP-02 SS-15
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TO SECSTATE WASHDC PRIORITY 5075
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AMEMBASSY PARIS
USMISSION EC BRUSSELS
USMISSION IAEA VIENNA
ERDA GERMANTOWN
USERDA WASHDC

UNCLAS SECTION 1 OF 3 TOKYO 1285

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SUBJECT: GAO REVIEW OF PEACEFUL NUCLEAR EXPORT POLICES OF MAJOR
SUPPLIER NATIONS

REF: STATE 310540

BACKGROUND ON NUCLEAR ACTIVITIES ---

I. OVERVIEW. POLICY GOVERNING THE DEVELOPMENT OF NUCLEAR
ENERGY FOR PEACEFUL PURPOSES HAS BEEN THE RESPONSIBILITY OF
THE JAPAN ATOMIC ENERGY COMMISSION SINCE ITS FORMATION ON
JAN. 1, 1956. THE COMMISSION CONSISTS OF SIX COMMISSIONERS
SERVING THREE YEAR TERMS AND A CHAIRMAN. UP TO THREE COMMISSIONERS
MAY SERVE PART TIME. DR. GORO INOUE IS DEPUTY CHAIRMAN AND
WORKING HEAD OF THE JAEC. THE CHAIRMAN WAS PREVIOUSLY THE
DIRECTOR-GENERAL OF THE SCIENCE AND TECHNOLOGY AGENCY (STA), A
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PAGE 02 TOKYO 01285 01 OF 03 280600Z

POLITICAL APPOINTMENT USUALLY OF RELATIVELY SHORT DURATION.
THE JAEC HAS RECENTLY BEEN ELEVATED IN STATURE SO THAT
IT NOW REPORTS TO THE PRIME MINISTER. HAT ANY RATE THE
JAEC DEPUTY CHAIRMAN IS THE KEY POLICY MAKING INDIVIDUAL.

THE JAEC WAS ESTABLISHED TO PLAN, DELIBERATE AND
DECIDE ON MATTERS CONCERNING ATOMIC ENERGY UTILIZATION,

POLICY ADMINISTRATION, LONG-RANGE PLANNING, REGULATORY ACTIVITIES, SAFETY, TRAINING, REPORTING AND OTHER ACTIVITIES AS ASSIGNED.

TY RESEARCH AND DEVELOPMENT ACTIVITIES OF THE GOJ IN ATOMIC ENERGY ARE CARRIED OUT BY FIVE SEMIGOVERNMENT ORGANIZATIONS. ALTHOUGH THE GOVERNMENT IS THE MAIN SOURCE OF FUNDING OF THESE R&D ORGANIZATIONS, THEY ALSO ACCEPT FUNDS FROM PRIVATE SOURCES. THEY ARE LINKED WITH OR ARE UNDER THE SUPERVISION OF THE PRIME MINISTER'S OFFICE OR THE STA WHICH IS HEADED BY A CABINET MINISTER WHO REPORTS TO THE PM. STA HAS REPORTING TO IT THE ATOMIC ENERGY BUREAU (AEB) AND THE NUCLEAR SAFETY BUREAU (NSB), ROUGHLY COMPARABLE IN RESPONSIBILITY TO ERDA AND NRC. LINES OF AUTHORITY ARE MUCH MORE LOOSELY DRAWN IN THE R&D CONDUCTING ORGANIZATIONS THAN IN COMPARABLE SITUATIONS IN THE U.S. THE FIVE R&D ORGANIZATIONS ARE:

A. JAPAN ATOMIC ENERGY RESEARCH INSTITUTE (JAERI) WHICH CONDUCTS THE RESEARCH SIDE OF NUCLEAR R&D INCLUDING FUSION AND WHICH IS ROUGHLY COMPARABLE TO AN ERDA MULTIDISCIPLINARY LABORATORY.

B. POWER REACTOR & NUCLEAR FUEL DEVELOPMENT CORPORATION (PNC) WHICH IS MORE ENGINEERING ORIENTED AND WAS FORMED FOR: 1. ADVANCED REACTOR DEVELOPMENT, PRIMARILY LMFBR, BUT ALSO INCLUDING ATR, A HEAVY WATER MODERATED NATURAL URANIUM FUELED REACTOR, 2. DEVELOPMENT AND INSTALLATION OF URANIUM ENRICHMENT FACILITIES, 3. INSTALLATION AND OPERATION OF SPENT NUCLEAR FUEL REPROCESSING

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PAGE 03 TOKYO 01285 01 OF 03 280600Z

CAPABILITY, 4. URANIUM ORE PROSPECTING, MINING AND REFINING, 5. NUCLEAR WASTE MANAGEMENT. IT CORRESPONDS ROUGHLY TO AN ERDA ENGINEERING LABORATORY.

C. JAPAN NUCLEAR SHIP DEVELOPMENT AGENCY (JNSDA) WHICH WAS ESTABLISHED IN 1963 FOR THE CONSTRUCTION OF JAPAN'S NUCLEAR SHIP, THE MUTSU.

D. NATIONAL INSTITUTE OF RADIOLOGICAL SCIENCES WHICH IS RESPONSIBLE FOR CONDUCTING RESEARCH ON PREVENTATIVE AND REMEDIAL PUBLIC HEALTH AS IT RELATES TO RADIATION EFFECTS.

E. INSTITUTE OF PHYSICS AND CHEMISTRY RESEARCH WHICH IS RESPONSIBLE FOR SCIENTIFIC RESEARCH.

THE MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY, MITI, IS RESPONSIBLE FOR THE PROMOTION OF DOMESTIC INDUSTRY, FOR THE PROMOTION OF INTERNATIONAL TRADE AND FOR THE LICENSING OF EXPORTED MATERIAL AND EQUIPMENT. AS IT RELATES TO THIS

SUBJECT, MITI'S TWO PRIMARY BRANCHES ARE THE AGENCY FOR NATURAL RESOURCES AND ENERGY (ANRE) AND THE AGENCY FOR INDUSTRIAL SCIENCE AND TECHNOLOGY (AIST). AIST MANAGES GOVERNMENT SPONSORED NON-NUCLEAR ENERGY R&D. ANRE IS RESPONSIBLE FOR THE PROMOTION OF COMMERCIAL NUCLEAR POWER PLANTS AND HAS BEEN GIVEN SPECIFIC DIRECTIONS TO PUSH JAPANESE NUCLEAR INDUSTRY AS A TOP PRIORITY MATTER SO THAT NUCLEAR GROWTH IS ACCELERATED IN JAPAN. A DECISION TO LICENSE FOR EXPORT (OR IMPORT) NUCLEAR MATERIALS REQUIRES MITI'S APPROVAL, IN THE PROCESS OF WHICH IT CONSULTS WITH THE STA. THE AEB AND THE NSB ARE OPERATIONALLY INVOLVED IN THIS REVIEW PROCESS. STA'S REVIEW IS MADE FROM THE POINTS OF VIEW OF: A. OVERALL NUCLEAR ENERGY DEVELOPMENT, B. NUCLEAR SAFETY DEVELOPMENT, C. SAFEGUARDS ASPECTS AND D. NUCLEAR WEAPONS NON-PROLIFERATION. DEVELOPMENT OF INTERNATIONAL NUCLEAR POLICY, PARTICULARLY WITH REGARD TO THE POLITICAL ASPECTS OF

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PAGE 04 TOKYO 01285 01 OF 03 280600Z

NON-PROLIFERATION, IS RESPONSIBILITY OF MINISTRY OF FOREIGN AFFAIRS. UNITED NATIONS BUREAU OF THE MINISTRY HAS SCIENTIFIC AFFAIRS AND DISARMAMENT DIVISIONS, BOTH OF WHICH ARE INVOLVED IN POLICY MATTERS. REPRESENTATION AT LONDON SUPPLIERS MEETINGS AND AT IAEA GENERAL CONFERENCES HAS COME IN PART FROM UN BUREAU AND ITS DIVISION.

II. STATISTICS ON EXPORT ACTIVITY. RADIOISOTOPES FOR MEDICAL TREATMENT OR DIAGNOSTIC PURPOSES, INDUSTRIAL NUCLEAR EQUIPMENT SUCH AS THICKNESS GAUGES AND THE LIKE HAVE BEEN EXPORTED, HOWEVER, UP TO NOW THERE HAS BEEN NO NUCLEAR EXPORT ACTIVITY OF CONSEQUENCE WHICH HAS EITHER NUCLEAR

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PAGE 01 TOKYO 01285 02 OF 03 280611Z
ACTION OES-06

INFO OCT-01 EUR-12 EA-09 IO-13 ISO-00 ABF-01 SP-02 PM-04
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UNCLAS SECTION 2 OF 3 TOKYO 1285

POWER OR NUCLEAR WEAPONS IMPLICATIONS. THE FIRST
POTENTIAL EXPORT OF MAJOR NUCLEAR POWER SIGNIFICANCE
MAY BE THE MANUFACTURE IN JAPAN OF NUCLEAR POWER REACTOR
COMPONENTS FOR PWR'S FOR THE USSR. THE MOFA AND MITI
WILL BE HEAVILY INVOLVED IN THIS MATTER SHOULD IT MATURE
TO THE POINT OF REQUIRING AN EXPORT LICENSE. IT IS
SPECIFICALLY MOFA'S RESPONSIBILITY TO CONDUCT THE
NECESSARY ANALYSIS FOR CONFORMANCE WITH
COCOM REQUIREMENTS TO RESTRICT TRANSFER OF SENSITIVE
TECHNOLOGY TO COMMUNIST COUNTRIES.

III. INDUSTRIAL NUCLEAR CAPABILITY. JAPAN IS CURRENTLY
WORKING ON THE DEVELOPMENT OF A CENTRIFUGE ENRICHMENT PROCESS.
PNC IS RESPONSIBLE FOR THE DEVELOPMENT AND INSTALLATION OF
A URANIUM ENRICHMENT PLANT TARGETED AT SUPPLYING AT LEAST
A PORTION OF JAPAN'S FUTURE ENRICHMENT REQUIREMENTS. THE
FIRST CASCADE, CONSISTING OF 180 CENTRIFUGES, WENT INTO
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PAGE 02 TOKYO 01285 02 OF 03 280611Z

OPERATION IN THE FALL OF 1974; THE SECOND CASCADE, CONSISTING
OF 247 CENTRIFUGES WENT INTO OPERATION IN THE SUMMER OF 1976.
THE THREE CENTRIFUGE SUPPLIERS, MITSUBISHI, HITACHI AND
TOSHIBA, ARE PREPARING TO COOPERATE ON A PILOT PLANT COMPRISED
OF SOME 7,000 TO 10,000 CENTRIFUGES PROVIDING THE AUTHORITY
IS GRANTED FOR THEM TO COOPERATE ON THIS EFFORT. THE PILOT
PLANT IS SCHEDULED FOR COMPLETION IN THE EARLY 1980'S.
SUBSEQUENTLY, A PRODUCTION FACILITY IS EXPECTED TO SUPPLY
A SIGNIFICANT PORTION OF JAPAN'S ENRICHED URANIUM
REQUIREMENTS IN THE 1990'S.

PNC'S TOKAI-MURA LWR SPENT FUEL REPROCESSING PLANT,
BUILT BY SAINT GOBAIN NUCLEAIRE AND PNC, IS CURRENTLY IN
COLD TEST OPERATION. THIS 210 MT/YEAR FACILITY IS SCHEDULED
TO GO INTO HOT TEST OPERATION EARLY IN 1977 AND INTO
COMMERCIAL OPERATION IN 1978.

AT THE PRESENT TIME THERE ARE 13 NUCLEAR POWER PLANTS IN OPERATION IN JAPAN FOR A TOTAL OF 7400 MWE. THE FIRST OF THESE, IS A CALDER HALL TYPE CO2 COOLED, 166 MWE NUCLEAR PLANT WHICH WENT INTO OPERATION IN JULY, 1966. SIX OF THE REST ARE BWR'S; FIVE ARE PWR'S. THEY ARE 350 TO 826 MWE IN SIZE AND WENT INTO COMMERCIAL OPERATION IN THE FOLLOWING SEQUENCE: TWO IN 1970, ONE IN 1971, ONE IN 1972, THREE IN 1974, TWO IN 1975 AND THREE IN 1976.

THERE ARE 15 PLANTS UNDER CONSTRUCTION. THEY ARE EXPECTED TO GO INTO OPERATION AS FOLLOWS: TWO IN 1977, FIVE IN 1978, ONE IN 1979, TWO IN 1980, ONE IN 1981, ONE IN 1982 AND THREE IN 1983. THESE VARY IN SIZE FROM 524 MWE TO 1100 MWE.

THE EARLY PLANTS WERE TURNKEY PLANTS DELIVERED BY GENERAL ELECTRIC AND WESTINGHOUSE USING MOSTLY US EQUIPMENT. RECENT PLANTS ARE BEING BUILT BY MITSUBISHI, HITACHI AND TOSHIBA MOSTLY WITH JAPANESE EQUIPMENT. THE NUCLEAR INDUSTRY IN JAPAN CURRENTLY HAS THE CAPABILITY TO TURN OUT TWO OR UNCLASSIFIED

UNCLASSIFIED

PAGE 03 TOKYO 01285 02 OF 03 280611Z

THREE BIG PLANTS (1100 MWE), PER YEAR.

STATUTORY REQUIREMENTS AND AGREEMENTS FOR COOPERATION--

I. LAWS AND REGULATIONS. JAPAN'S QUOTE ATOMIC ENERGY BASIC LAW UNQUOTE PROVIDES FOR RESEARCH, DEVELOPMENT AND UTILIZATION OF ATOMIC ENERGY FOR PEACEFUL PURPOSES. IT DEFINES THE CONSTITUENCY AND FUNCTIONS OF THE ATOMIC ENERGY COMMISSION AND THE TWO QUASI-GOVERNMENTAL ORGANIZATIONS WHICH CONDUCT THE VAST PERCENTAGE OF ITS R&D, JAERI AND PN. IT DESCRIBES THE DEVELOPMENT AND ACQUISITION OF MINERALS RELATING TO ATOMIC ENERGY AND THE CONTROL TO BE EXERCISED OVER NUCLEAR FUEL MATERIALS AND REACTORS. IT DEFINES PATENT RELATIONSHIPS, PROTECTION FROM RADIATION HAZARDS AND COMPENSATION. THERE IS, IN ADDITION, A LAW CONCERNING THE PREVENTION OF HAZARDS FROM RADIATION WHICH PROVIDES FOR THE USE, HANDLING AND OBLIGATIONS OF USERS AND SELLERS OF RADIOISOTOPES. COPIES OF EACH OF THESE DOCUMENTS ARE BEING FURNISHED.

II. AGREEMENTS. JAPAN HAS NUCLEAR AGREEMENTS WITH THE US, AUSTRALIA, FRANCE, CANADA AND THE UK. EACH OF THESE BILATERALS IS ACCOMPANIED BY A CORRESPONDING TRILATERAL WITH IAEA. THE CANADIAN AGREEMENT IS CURRENTLY UNDER RENEGOTIATION. COPIES OF THESE BILATERAL AGREEMENTS (EXCEPT FOR THE CANADIAN BILATERAL WHICH IS PRESENTLY UNAVAILABLE) ARE BEING FURNISHED. JAPAN HAS AN AGREEMENT OF COOPERATION IN THE FIELD OF SCIENCE AND TECHNOLOGY, WHICH INCLUDES NUCLEAR, WITH FRG, BUT THE AGREEMENT IS RESTRICTED TO INFORMATION EXCHANGE

AND EXCLUDES THE SUPPLYING OF NUCLEAR MATERIALS.

THE BILATERALS ARE WRITTEN AS MUTUALLY APPLICABLE
TO EACH SIGNATORY COUNTRY, THOUGH THERE IS A DEFINITE
SUPPLIER/CUSTOMER RELATIONSHIP WITH JAPAN ON THE
RECEIVING END, RECIPROCITY PROVISIONS ARE INCLUDED.

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PAGE 04 TOKYO 01285 02 OF 03 280611Z

III. JUSTIFICATION. AT THE PRESENT TIME THE CONDITION
WHICH CONSTRAINS NUCLEAR EXPORTS FROM JAPAN IS A BRIEF
POLICY STATEMENT MADE BY THE JAEC IN 1962. IT SIMPLY
REQUIRES THAT THE EXPORTED MATERIALS AND EQUIPMENT WILL
BE USED BY THE RECIPIENT COUNTRY SOLELY FOR PEACEFUL
PURPOSES. IT IS EXPECTED THAT IN THE NEAR FUTURE THE JAEC
WILL DEVELOP MORE EXTENSIVE AND STRENGTHENED REQUIREMENTS
PARTICULARLY RELATING TO THE NON-PROLIFERATION OF NUCLEAR
WEAPONS.

REGULATORY AND LICENSING FUNCTIONS ---

I. CRITERIA. AT THE PRESENT TIME THERE ARE NO STANDARD
REGULATORY AND LICENSING CRITERIA FOR NUCLEAR EXPORTS.

II. TRIGGER LIST. TRIGGER LIST GUIDELINES ARE BEING
DEVELOPED WHICH WOULD PLACE UNDER CONTROL QUANTITIES AND
TYPES OF MATERIALS ALONG THE LINES OF THE ZANGGER LIST AND
AS DISCUSSED IN THE LONDON TALKS.

III. CONDITIONS. THERE ARE NO SPECIAL CONDITIONS AT THE
PRESENT WHICH MUST BE MET ON EXPORTS OF SNM, HEAVY WATER

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PAGE 01 TOKYO 01285 03 OF 03 280743Z
ACTION OES-06

INFO OCT-01 EUR-12 EA-09 IO-13 ISO-00 ABF-01 SP-02 SS-15
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UNCLAS SECTION 3 OF 3 TOKYO 1285

PLANTS AND ENRICHMENT AND REPROCESSING FACILITIES EXCEPT
FOR NPT ARTICLE III. 2. JAPAN DOES NOT EXPECT OR PLAN AT
THIS TIME TO EXPORT ANY OF THESE MATERIALS OR EQUIPMENT.
IV. AUTHORIZING PROCEDURES. THERE ARE NO SPECIAL PROCEDURES
FOR AUTHORIZING THE EXPORT OF NUCLEAR COMPONENTS. THE SAME
PROCEDURES APPLY AS TO THE EXPORT OF A FACILITY.
V. EXCEPTION. THERE ARE NO EXCEPTIONS TO THE GENERAL
EXPORT CONTROL PROCEDURES, BUT, THE PROCEDURES ARE IN THE
VERY EARLY STATE OF FORMULATION AND HAVE NOT BEEN APPLIED
TO AN ACTUAL CASE.

SAFEGUARDS --

AS INDICATED ABOVE, JAPAN HAS NOT ENTERED INTO AN AGREEMENT
AS A NUCLEAR SUPPLIER AS YET AND IS AT THE PRESENT TIME IN
THE PROCESS OF FORMULATING ITS EXPORT POLICY AND PROCEDURES.
NO PROVISIONS HAVE YET BEEN MADE TO EXTEND SAFEGUARDS
RIGHTS BEYOND THE AGREEMENT EXPIRATION DATE; HOWEVER, JAPAN
UNCLASSIFIED

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PAGE 02 TOKYO 01285 03 OF 03 280743Z

IS TAKING THE POSITION THAT AS LONG AS NUCLEAR MATERIAL
REMAINS IN A RECEIVING COUNTRY, COVERING SAFEGUARDS
AGREEMENT CANNOT EXPIRE.

JAPAN HAS BEEN SUPPORTING IAEA'S SAFEGUARDS PROGRAM BY:
A. TECHNICAL ASSISTANCE--RESEARCH CONTRACTS AND RESEARCH
AGREEMENTS.
B. PARTICIPATION IN IAEA'S PERFEX PROGRAM.
C. PARTICIPATION IN IAEA ADVISORY GROUPS, CONSULTANT
GROUPS, PANELS, ETC.
D. PARTICIPATION OF JAPANESE TECHNICAL EXPERTS IN
IAEA SECRETARIAT.

JAPAN HAS EXPRESSED A GENERAL DESIRE TO STRENGTHEN IAEA
SAFEGUARDS. BEYOND THIS, SPECIFIC SUGGESTIONS HAVE BEEN
MADE AT SUPPLIER'S CONFERENCES.

PHYSICAL SECURITY.--

JAPAN INDICATES THAT IT IS FOLLOWING THE LONDON GUIDELINES. SINCE ESSENTIALLY NO MATERIAL HAS BEEN EXPORTED, THE NEED FOR PHYSICAL SECURITY REVIEWS HAS NOT ARISEN.

RETRANSFERS.--

JAPAN HAS STRONG DESIRES AND IDEAS AS TO HOW RETRANSFERS SHOULD BE IMPLEMENTED AND POLICED, BUT CURRENTLY HAS NOT PROCEDURES OR SYSTEM FOR APPROVING SAME, OR PROCESS TO DETECT UNAUTHORIZED TRANSFERS.

NUCLEAR EXPORT FINANCING--

IT IS EXPECTED THAT THE EXIM BANK OF JAPAN WOULD FINANCE UP TO 80 PERCENT OF A LARGE NUCLEAR EQUIPMENT EXPORT. JAPAN EXIM BANK JFY 1977 LOAN QUOTA IS YEN 708 BILLION. A FINANCING ACTION ASSOCIATED WITH A NUCLEAR EXPORT WOULD BE CLOSELY COORDINATED WITH MOFA, MITI, STA, THE PM AND THE CABINET, AND CONDUCTED UNDER THE NUCLEAR EXPORT POLICIES OF THE GOJ. IT COULD BE IN THE FORM OF A LOAN TO THE BUYER OR AN EXPORT UNCLASSIFIED

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PAGE 03 TOKYO 01285 03 OF 03 280743Z

CREDIT TO THE EXPORTER.

NUCLEAR SUPPLIERS MEETINGS--

I. PUBLIC STATEMENTS. JAPAN HAS REFRAINED FROM MAKING PUBLIC STATEMENTS REGARDING FUTURE ACTIONS IT WILL FOLLOW AS RESULT OF SUPPLIERS' MEETINGS, BUT SINCE RATIFICATION OF NPT, JAPAN HAS EXPRESSED SUPPORT OF GOALS OF SUPPLIERS CONFERENCES.

II. CHANGES. JAPAN'S EXPORT POLICY PROGRAM AND PROCEDURES ARE IN THE EARLY FORMATIVE STAGES.

III. IMPACT ON IAEA. IT SEEMS REASONABLE TO ANTICIPATE A SIGNIFICANT INCREASE IN IAEA RESPONSIBILITIES AS A CONSEQUENCE OF WHAT WE EXPECT TO BE JAPAN'S FUTURE CODIFIED EXPORT POLICY.

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